

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

WIKIMEDIA FOUNDATION,

Plaintiff,

v.

NATIONAL SECURITY AGENCY /
CENTRAL SECURITY SERVICE, *et al.*,

Defendants.

Hon. T.S. Ellis, III

Civil Action No.
15-cv-00662-TSE

JOINT MOTION TO SET A REVISED SCHEDULE

The parties in the above-captioned case jointly move the Court to adopt the schedule set out below for the parties' remaining summary judgment briefs and oral argument.

In its Order dated January 2, 2019, the Court granted a stay of all proceedings in this case until Congress appropriated funds for the Department of Justice. *See* ECF No. 173. The Court also ordered that a revised schedule for the filing of the remaining briefs and oral argument would issue promptly once the government shutdown ended. *See id.* Now that appropriations have been restored, the parties have conferred and have agreed upon the revised schedule below, which generally extends deadlines commensurate with the duration of the lapse in appropriations. *See* ECF Nos. 158, 173.

- Defendants' reply to be filed by Friday, February 15, 2019.
- Plaintiff's surreply to be filed by Friday, March 8, 2019.¹

¹ Between February 15 and March 1, three of Plaintiff's counsel have pre-planned, pre-paid vacation, including travel abroad. Within that timeframe, Plaintiff's counsel have additional litigation obligations, including a summary judgment reply briefing deadline and a hearing. Given these obligations, as well as the anticipated length and complexity of Defendants' reply brief and supporting declaration(s), the parties propose that Plaintiff file its surreply by March 8, 2019.

- Defendants’ surreply to be filed by Friday, March 22, 2019.
- Oral argument to be held on or after Friday, April 5, 2019.²

For the foregoing reasons, the parties respectfully request that the Court enter the revised schedule above.

Dated: January 31, 2019

/s/James J. Gilligan

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Respectfully submitted,

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² On January 22, 2019, the Court in *Jewel v. NSA*, No. 4:08-cv-4373-JSW (N.D. Cal.), acting on the Government’s request for a stay of that action due to the lapse in appropriations, postponed the pending hearing on the Government’s motion for summary judgment from February 1 to March 29, 2019. The Government therefore respectfully requests that the hearing in this case take place no sooner than one week following the hearing in *Jewel*. Plaintiff concurs in this request.

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